

Judicial Variance Statement for Judge Alan M. Ahart
Regarding LBRs, Court Manual, and Forms

UPDATED April 30, 2013

Bankruptcy Judge **AHART** enforces the Local Bankruptcy Rules, Court Manual, and use of mandatory court forms. However, here are a few clarifications and exceptions:

A. Local Bankruptcy Rules (LBRs):

- 1. 7016-1(b)(1) and (b)(3): Pre-trial Stipulations:** a pre-trial stipulation must be filed on the docket, not lodged in LOU. A separate order approving the pre-trial stipulation must be lodged in LOU.
- 2. 9075-1:** A written application must be filed and an order must be lodged on all requests for emergency hearings or hearings on shortened time.

B. Court Manual Sections: All Court Manual provisions are enforced.

C. Mandatory LBR Forms: All LBR forms marked “mandatory” in the footer of the form are mandatory.

D. Optional LBR Forms that Judge Ahart Requires or Prohibits: All LBR forms marked “optional” in the footer of the form are optional.

E. Other Forms or Format Required Only By Judge Ahart:

1. Chapter 11 Disclosure Statement and Plan:

- The Procedure for Approval of Disclosure Statement and Confirmation of Chapter 11 Plan in cases before Judge Ahart can be found on the “Instructions/Procedures” page of his section of the court website.
- When a chapter 11 debtor is NOT an individual, it is **mandatory** that the debtor use Judge Ahart’s combined “Disclosure Statement and Plan of Reorganization.” It is found on the “Forms” page of his section of the court website. A reading guide is also provided.
- If a chapter 11 debtor IS an individual, the debtor must use either: 1) the combined “Disclosure Statement and Plan of Reorganization” described above or 2) the separate Individual Debtor’s Disclosure Statement in Support of Plan of Reorganization and Individual Debtor’s Chapter 11 Plan of Reorganization, adopted by the Central District of California as forms F 2081-1.DISCLSR.STMT and F 2081-1.PLAN, respectively.

2. Order Re Presentation of Evidence by Declarations for Court Trial; Filing Joint Pre-Trial Order Pursuant To Local Rule 7016-1: This form is mandatory in Judge Ahart’s cases, where Judge Ahart is the trial judge. It is found on the “Forms” page of his section of the court website.